

**Fill in this information to identify the case:**

Debtor 1 Willoughby Estates LLC  
 Debtor 2 \_\_\_\_\_  
 (Spouse, if filing)  
 United States Bankruptcy Court Eastern District of New York  
 Case number: 19-45886

**FILED**  
**U.S. Bankruptcy Court**  
**Eastern District of New York**  
 1/17/2020  
**Robert A. Gavin, Clerk**

## Official Form 410

### Proof of Claim

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents**; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

<b>1. Who is the current creditor?</b>	<u>Borch Angel, et al. (See Exhibit A for full list)</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor _____	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
<b>3. Where should notices and payments to the creditor be sent?</b>  Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<b>Where should notices to the creditor be sent?</b> <u>Borch Angel, et al. (See Exhibit A for full list)</u> Name Bronstein, Gewirtz, Attn: Y.E. Soloveichik 60 East 42nd Street, Suite 4600 New York, NY 10165  Contact phone <u>646-382-7160</u> Contact email <u>soloveichik@bgandg.com</u> Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	<b>Where should payments to the creditor be sent? (if different)</b> _____ Name _____ Contact phone _____ Contact email _____
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <div style="text-align: right;">MM / DD / YYYY</div>	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

<b>6. Do you have any number you use to identify the debtor?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: _____										
<b>7. How much is the claim?</b>	\$ unknown _____ <div style="float: right; text-align: right;"> <b>Does this amount include interest or other charges?</b>  <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).         </div>										
<b>8. What is the basis of the claim?</b>	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.  See Exhibit B—Statement of Claim.										
<b>9. Is all or part of the claim secured?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property. <div style="margin-left: 20px;"> <b>Nature of property:</b>  <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410–A) with this <i>Proof of Claim</i>.  <input type="checkbox"/> Motor vehicle  <input type="checkbox"/> Other. Describe: _____         </div>  <div style="margin-left: 20px;"> <b>Basis for perfection:</b> _____           Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)         </div> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Value of property:</b></td> <td style="width: 50%;">\$ _____</td> </tr> <tr> <td><b>Amount of the claim that is secured:</b></td> <td>\$ _____</td> </tr> <tr> <td><b>Amount of the claim that is unsecured:</b></td> <td>\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</td> </tr> </table>  <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><b>Amount necessary to cure any default as of the date of the petition:</b></td> <td style="width: 40%;">\$ _____</td> </tr> <tr> <td><b>Annual Interest Rate</b> (when case was filed)</td> <td>_____ %</td> </tr> </table> <div style="margin-left: 20px;"> <input type="checkbox"/> Fixed  <input type="checkbox"/> Variable       </div>	<b>Value of property:</b>	\$ _____	<b>Amount of the claim that is secured:</b>	\$ _____	<b>Amount of the claim that is unsecured:</b>	\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)	<b>Amount necessary to cure any default as of the date of the petition:</b>	\$ _____	<b>Annual Interest Rate</b> (when case was filed)	_____ %
<b>Value of property:</b>	\$ _____										
<b>Amount of the claim that is secured:</b>	\$ _____										
<b>Amount of the claim that is unsecured:</b>	\$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)										
<b>Amount necessary to cure any default as of the date of the petition:</b>	\$ _____										
<b>Annual Interest Rate</b> (when case was filed)	_____ %										
<b>10. Is this claim based on a lease?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <b>Amount necessary to cure any default as of the date of the petition.</b> \$ _____										
<b>11. Is this claim subject to a right of setoff?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____										

<b>12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply.</i>	<b>Amount entitled to priority</b>
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
	<input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
	<input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
	<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
	<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( <u>  </u> ) that applies	\$ _____
<small>* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.</small>		

### Part 3: Sign Below

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.**

Check the appropriate box:

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.  
☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.  
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 1/17/2020  
MM / DD / YYYY

/s/ Yitzchak Eliezer Soloveichik  
\_\_\_\_\_  
Signature

Print the name of the person who is completing and signing this claim:

<b>Name</b>	<u>Yitzchak Eliezer Soloveichik</u>		
	<small>First name</small>	<small>Middle name</small>	<small>Last name</small>
<b>Title</b>	<u>Attorney</u>		
<b>Company</b>	<u>Bronstein, Gewirtz &amp; Grossman LLC</u>		
	<small>Identify the corporate servicer as the company if the authorized agent is a servicer</small>		
<b>Address</b>	<u>60 East 42nd Street, Suite 4600</u>		
	<small>Number</small>	<small>Street</small>	
	<u>New York, NY 10165-1016</u>		
	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
<b>Contact phone</b>	<u>646-382-7160</u>	<b>Email</b>	<u>soloveichik@bgandg.com</u>

**EXHIBIT A**

<b>INDIVIDUAL CLAIMANTS</b>	
1.	Angel, Boruch
2.	Baddiel, Dovid
3.	Baddiel, Hannah
4.	Ball, Alex
5.	Bamberger, Maurice
6.	Bamberger, Meir
7.	Ben-David, Yechiel
8.	Benedikt, Nomi
9.	Benedikt, Yosef Zvi
10.	Ben-Shimon, Yaakov
11.	Ben-Zimra, Avraham
12.	Ben-Zimra, Rachel
13.	Berenshtein, Shlomo Zalman
14.	Biedermann, Michael
15.	Binyamini, Efraim
16.	Biton, Yehudit
17.	Brandwein, Moshe Yom Tov
18.	Cohen, Israel Meir
19.	Cohen-Arazi, Netanel
20.	Daskal, Shlomo Pinchas
21.	Elias, Sholom Mordechai
22.	Elkaim, Isaac
23.	Elkaim, Jakob
24.	Elkaim, Raphael Barouch
25.	Ernster, David Dov
26.	Fischer, Samuel
27.	Frenkel, Batsheva
28.	Gabai, Shmuel
29.	Galinsky, Elimelech
30.	Gelber, Moshe Chaim
31.	Geller, Anthony
32.	Glatstein, Yosef
33.	Goldman, Ester
34.	Goldschmied, Gabriel
35.	Grinfeld, Chezkel
36.	Groskopf, Pinchas
37.	Gross, Nathan
38.	Grossnass, Abraham Joshua
39.	Gutman, Yisrael David
40.	Halpern, Binyomin Mordechai

41. Halpern, David
42. Halpern, Ya'akov Mordechai
43. Hertzog, Yedidya
44. Hirsch, Israel
45. Hirsch, Tzivvia
46. Hirsch-Grunwald, Yvonne
47. Honigsberg, Shmaryahu
48. Itzkowitch, Raizl
49. Jaffe, Esther Selma
50. Jaffe, Gavriel Aryeh
51. Jelen, Debra Gail
52. Kahn, Pinchos
53. Kahna, Haim Shmuel
54. Kaplan, Israel J
55. Katabi, Yinon
56. Keyak, Rachel Bracha
57. Klein, Elisheva
58. Kohen, Hinda
59. Koninski, Isaac
60. Kraus, Moshe Bunim
61. Kruskal, Dina Dvora
62. Kruskal, Yisrael Meir
63. Lavkovitch, Yechiel
64. Lev, Miriam Chaya
65. Lev, Avraham Yeshayahu
66. Levi, Oved
67. Levin, Yaakov
68. Lichtig, Benzion
69. Maimon, Simha
70. Maimon, Yosef
71. Masher, Meshulem
72. Merel, Yakov Israel
73. Merl, Ely
74. Meyer, Mordechai Yaakov
75. Meyer, Sara
76. Michael, Elhanan
77. Motzen, Hana
78. Mozgo, Gavriel
79. Muller, Michael
80. Neufeld, Pinhas Dov
81. Ollech, Burech
82. Ollech, Duvid
83. Ollech, Heini
84. Ollech, Jakob

85.	Orlanchik, Mordechai Zeev
86.	Paskas, Abraham
87.	Posen, Daniel
88.	Rubnitz, Haim Menachem
89.	Ryness, Rivka
90.	Schmerler, Naftali Zvi
91.	Schonberg, Benjamin
92.	Schonberg, Bertha Sara
93.	Schonberg, Jacob
94.	Schwarz, Abraham J.
95.	Schwarz, David Meir
96.	Shapiro, Chaim Bezalel
97.	Shaya, Itamar
98.	Shenker, Shimon
99.	Shlezinger, Elazar David
100.	Shlezinger, Yosef Shlomo
101.	Shlomo, Avishai Mishael
102.	Shtauber, Avinoam
103.	Shtauber, Malka
104.	Shtern, Yossef
105.	Siata Dishmaya LLC
106.	Spitzer, Abraham
107.	Spingarn, Ishak Aron
108.	Spingarn, Lionel
109.	Stein, Fishel
110.	Stein, Menachem
111.	Stein, Moshe
112.	Stein, Moshe David
113.	Stein, Netanel
114.	Steinhaus, Debora Sara
115.	Stern, Shifra
116.	Stern, Yosef Shimon
117.	Stern, Zvi
118.	Stewart, Rachel
119.	Stewart, Samuel
120.	Strasser, David Shalom
121.	Veichelder, Zevulun
122.	Vinberg, Abraham
123.	Weil, Elyashiv Menachem
124.	Weingold, Yisrael Meir
125.	Weiniger, Moshe Dovid
126.	Weisman, Yosef Zvi
127.	Weiss, Meir
128.	Winegarten, Yehuda

129.	Wizman, Yaakov
130.	Yitshaki, David
131.	Zakuta, Avraham
132.	Zelivansky, Yehoshua Natan
133.	Ryness David
134.	Stern Eliyahu

<b>LLC CLAIMANTS</b>	
1.	Bergen Operations LLC
2.	Bushwick Operations LLC
3.	1285 Bushwick Operations LLC
4.	Kingston Operations LLC
5.	Jefferson Operations LLC
6.	369 Gates Operations LLC
7.	853 Lexington Operations LLC
8.	945 Park Place Operations LLC
9.	1078 Dekalb Operations LLC
10.	618 Lafayette Operations LLC
11.	74 Van Buren Operations LLC
12.	325 Franklin Operations LLC
13.	348 St Nicholas Operations LLC
14.	760 Willoughby Operations LLC
15.	Slope Equities Operations LLC
16.	454 Central Avenue Operations LLC
17.	855 Dekalb Avenue Operations LLC
18.	Willoughby Estates Operations LLC
19.	73 Empire Development Operations LLC
20.	980 Atlantic Holdings Operations LLC
21.	720 Livonia Operations LLC
22.	8 Maple Avenue Operations LLC
23.	1301 Putman Operations LLC

**EXHIBIT B**

<b>Investment Property</b>	<b>Holding Company</b>	<b>LLC Claimant and Member of Holding Company</b>
901 Bushwick Avenue, Brooklyn, NY 11221	901 Bushwick Avenue LLC	Bushwick Operations LLC
908 Bergen Street, Brooklyn, NY 11238	908 Bergen Street LLC	Bergen Operations LLC
106 Kingston Avenue, Brooklyn, NY 11213	106 Kingston LLC	Kingston Operations LLC
1213 Jefferson Avenue, Brooklyn, NY 11221	1213 Jefferson LLC	Jefferson Operations LLC



369 Gates Avenue, Brooklyn, NY 11216	Gates Equity Holdings LLC	369 Gates Operations LLC
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853 Lexington Avenue, Brooklyn, NY 11221	853 Lexington LLC	853 Lexington Operations LLC
945 Park Place, Brooklyn, NY 11213	945 Park Pl LLC	945 Park Place Operations LLC

1078 Dekalb Avenue, Brooklyn, NY 11221	1078 Dekalb LLC	1078 Dekalb Operations LLC
618 Lafayette Avenue, Brooklyn, NY, 11216	618 Lafayette LLC	618 Lafayette Operations LLC
74 Van Buren Street, Brooklyn, NY 11221	74 Van Buren LLC	74 Van Buren Operations LLC
325 Franklin Avenue, Brooklyn, NY 11238	325 Franklin LLC	325 Franklin Operations LLC
760-762 Willoughby Avenue, Brooklyn, NY 11206	762 Willoughby LLC	760 Willoughby Operations LLC

657-665A 5th Avenue, Brooklyn, NY 11215	657-665 5th Avenue LLC	Slope Equities Operations LLC
454 Central Avenue, Brooklyn, NY 11205	454 Central Avenue LLC	454 Central Avenue Operations LLC

855 Dekalb Avenue, Brooklyn, NY 11211	855 Dekalb Avenue LLC	855 Dekalb Avenue Operations LLC
525 Willoughby Avenue, Brooklyn, NY 11206	Willoughby Estates LLC	Willoughby Estates Operations LLC
73 Empire Boulevard, Brooklyn, NY 11225	73 Empire Development LLC	73 Empire Development Operations LLC

980 Atlantic Avenue, Brooklyn, NY 11238	980 Atlantic Holdings LLC	980 Atlantic Holdings Operations LLC
720 Livonia Avenue, Brooklyn, NY 11210	720 Livonia Development LLC	720 Livonia Operations LLC

8 Maple Avenue, Bay Shore, NY 11706	CSY Holdings LLC	8 Maple Avenue Operations LLC
348 St. Nicholas Avenue, New York NY 10027	348 St. Nicholas LLC	348 St. Nicholas Operations LLC
1301 Putnam Avenue, Brooklyn, NY 11221	1301 Putnam LLC	1301 Putnam Operations LLC

**Members of LLC Claimants That Are Named as Individual  
Claimants Herein**

**Bergen Operations LLC**

Gross Nathan  
Halpern Binyomin Mordechai  
Halpern David  
Schonberg Benjamin

**Bushwick Operations LLC**

Bamberger Meir  
Elias Sholom Mordechai  
Halpern Binyomin Mordechai  
Jelen Debra Gail  
Ollech Heini  
Schonberg Benjamin  
Siata Dishmaya LLC

**1285 Bushwick**

Bamberger Meir  
Elias Sholom Mordechai  
Halpern Binyomin Mordechai  
Jelen Debra Gail  
Ollech Heini  
Schonberg Benjamin  
Siata Dishmaya LLC



**Kingston Operations LLC**

Bamberger Meir  
Elias Sholom Mordechai  
Halpern Binyomin Mordechai  
Jelen Debra Gail  
Ollech Heini  
Schonberg Benjamin  
Siata Dishmaya LLC

**Jefferson Operations LLC**

Baddiel Dovid  
Baddiel Hannah  
Halpern Binyomin Mordechai  
Ollech Duvid  
Ryness Rivka  
Schonberg Benjamin  
Schonberg Bertha Sara  
Schonberg Jacob  
Siata Dishmaya LLC

**369 Gates Operations LLC**

Baddiel Dovid  
Baddiel Hannah  
Halpern Binyomin Mordechai  
Ollech Duvid  
Ryness Rivka  
Schonberg Benjamin  
Schonberg Bertha Sara  
Schonberg Jacob  
Siata Dishmaya LLC

**853 Lexington Operations LLC**

Angel Boruch  
 Baddiel Dovid  
 Baddiel Hannah  
 Biton Yehudit  
 Brandwein Moshe Yom Tov  
 Cohen Israel Meir  
 Ernster David Dov  
 Goldschmied Gabriel  
 Halpern Binyomin Mordechai  
 Halpern David  
 Hertzog Yedidya  
 Kahna Haim Shmuel  
 Kohen Hinda  
 Koninski Isaac  
 Kraus Naftali  
 Kruskal Dina Dvora  
 Kruskal Yisrael Meir  
 Merel Yakov Israel  
 Posen Daniel  
 Rubnitz Haim Menachem  
 Schonberg Benjamin  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Schwarz David Meir  
 Shlezinger Yosef Shlomo  
 Shlomo Avishai Mishael  
 Siata Dishmaya LLC  
 Spitzer Abraham  
 Steinhaus Debora Sara

**945 Park Place Operations LLC**

Biton Yehudit  
 Halpern Binyomin Mordechai  
 Koninski Isaac  
 Kraus Naftali  
 Kruskal Dina Dvora  
 Kruskal Yisrael Meir  
 Ollech Burech  
 Schonberg Benjamin  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Siata Dishmaya LLC  
 Steinhaus Debora Sara  
 Weingold Yisrael Meir  
 Yitshaki David

**1078 Dekalb Operations LLC**

Biton Yehudit  
 Halpern Binyomin Mordechai  
 Koninski Isaac  
 Kruskal Dina Dvora  
 Kruskal Yisrael Meir  
 Muller Michael  
 Schonberg Benjamin  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Siata Dishmaya LLC  
 Steinhaus Debora Sara  
 Weingold Yisrael Meir  
 Yitshaki David  
 Zwiebel Chaja Chava

**618 Lafayette Operations LLC**

Biton Yehudit  
Halpern Binyomin Mordechai  
Koninski Isaac  
Kruskal Dina Dvora  
Kruskal Yisrael Meir  
Muller Michael  
Schonberg Benjamin  
Schonberg Bertha Sara  
Schonberg Jacob  
Siata Dishmaya LLC  
Steinhaus Debora Sara  
Weingold Yisrael Meir  
Yitshaki David  
Zwiebel Chaja Chava

**74 Van Buren Operations LLC**

Biton Yehudit  
Brochsztat Shamai Shlomo Aryeh  
Galinsky Elimelech  
Halpern Binyomin Mordechai  
Kraus Naftali  
Kruskal Dina Dvora  
Kruskal Yisrael Meir  
Michael Elhanan  
Schmerler Naftali Zvi  
Schonberg Benjamin  
Schonberg Bertha Sara  
Schonberg Jacob  
Siata Dishmaya LLC

**325 Franklin Operations LLC**

Binyamini Efraim  
Cohen Israel Meir  
Gelber Moshe Chaim  
Goldman Ester  
Gross Nathan  
Halpern Binyomin Mordechai  
Keyak Rachel Bracha  
Klein Elisheva  
Kruskal Dina Dvora  
Kruskal Yisrael Meir  
Merel Yakov Israel  
Michael Elhanan  
Orlanchik Mordechai Zeev  
Ryness Rivka  
Schonberg Benjamin  
Schonberg Bertha Sara  
Schonberg Jacob  
Shlezinger Elazar David  
Shtaubert (Henig) Malka  
Shtaubert Avinoam  
Siata Dishmaya LLC  
Spitzer Abraham  
Stein Fishel  
Stein Menachem  
Stein Moshe David  
Stein Netanel  
Steinhaus Debora Sara  
Stern Shifra [Yosef Shimon Stern]  
Stern Zvi [Yosef Shimon Stern]  
Strasser David Shalom  
Weiniger Moshe Dovid  
Winegarten Yehuda  
Zelivansky Yehoshua Natan

**348 St. Nicholas Operations LLC**

Binyamini Efraim  
 Biton Yehudit  
 Cohen Israel Meir  
 Daskal Shlomo Pinchas  
 Grinfeld Chezkel  
 Halpern Binyomin Mordechai  
 Halpern David  
 Hirsch Israel  
 Hirsch-Grunwald Yvonne  
 Jaffe Esther Selma  
 Kruskal Dina Dvora  
 Kruskal Yisrael Meir  
 Michael Elhanan  
 Schonberg Benjamin  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Schwarz Abraham J.  
 Shapiro Chaim Bezalel  
 Shlezinger Elazar David  
 Shtaubert (Henig) Malka  
 Shtaubert Avinoam  
 Siata Dishmaya LLC  
 Spitzer Abraham  
 Stein Menachem  
 Stein Netanel  
 Steinhaus Debora Sara  
 Stern Shifra [Yosef Shimon Stern]  
 Stern Zvi [Yosef Shimon Stern]  
 Stewart Rachel  
 Stewart Samuel  
 Strasser David Shalom  
 Zelivansky Yehoshua Natan

**760 Willoughby Operations LLC**

Bamberger Meir  
 Binyamini Efraim  
 Biton Yehudit  
 Cohen Israel Meir  
 Daskal Shlomo Pinchas  
 Goldman Ester  
 Grinfeld Chezkel  
 Halpern Binyomin Mordechai  
 Halpern David  
 Hirsch Israel  
 Hirsch-Grunwald Yvonne  
 Jaffe Esther Selma  
 Kruskal Dina Dvora  
 Kruskal Yisrael Meir  
 Michael Elhanan  
 Mozgo Gavriel  
 Schonberg Benjamin  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Schwarz Abraham J.  
 Shapiro Chaim Bezalel  
 Shlezinger Elazar David  
 Shlezinger Yosef Shlomo  
 Shtaubert (Henig) Malka  
 Shtaubert Avinoam  
 Siata Dishmaya LLC  
 Spitzer Abraham  
 Stein Menachem  
 Stein Netanel  
 Steinhaus Debora Sara  
 Stern Shifra [Yosef Shimon Stern]  
 Stern Zvi [Yosef Shimon Stern]  
 Stewart Rachel  
 Stewart Samuel  
 Strasser David Shalom  
 Zelivansky Yehoshua Natan

**Slope Equities Operations LLC**

Baddiel Dovid  
 Baddiel Hannah  
 Ben-David Yechiel  
 Benedikt Nomi  
 Benedikt Yosef Zvi  
 Ben-Zimra Avraham  
 Ben-Zimra Rachel  
 Biedermann Michael  
 Cohen Israel Meir  
 Ehrentreu Mordche Dov  
 Elkaim Isaac  
 Elkaim Jakob  
 Elkaim Raphael Barouch  
 Frenkel Batsheva  
 Gabai Shmuel  
 Gelber Moshe Chaim  
 Halpern David  
 Hirsch Israel  
 Hirsch Tzivia  
 Hirsch-Grunwald Yvonne  
 Kaplan Israel J  
 Kraus Moshe Bunim  
 Lev (Ben-Simon) Miriam Chaya  
 Lev Avraham Yeshayahu  
 Levin Yaakov  
 Maimon Simha  
 Maimon Yosef  
 Meyer Mordechai Yaakov  
 Meyer Sara  
 Neufeld Pinhas Dov  
 Ollech Heini  
 Paskas Abraham  
 Schmerler Naftali Zvi  
 Shaya Itamar  
 Shlezinger Elazar David  
 Shtern Yossef  
 Siata Dishmaya LLC  
 Spingarn Ishak Aron  
 Stein Moshe David  
 Stein Netanel  
 Stern Eliyahu  
 Stewart Rachel  
 Stewart Samuel  
 Strasser David Shalom  
 Veichelder Zevulun  
 Weiss Meir

**454 Central Avenue Operations LLC**

Baddiel Dovid  
 Baddiel Hannah  
 Benedikt Nomi  
 Benedikt Yosef Zvi  
 Brochsztat Shamai Shlomo Aryeh  
 Cohen Israel Meir  
 Frenkel Batsheva  
 Galinsky Elimelech  
 Grossnass Abraham Joshua  
 Halpern Binyomin Mordechai  
 Halpern David  
 Hirsch Israel  
 Hirsch Tzivia  
 Hirsch-Grunwald Yvonne  
 Kahn Pinchos  
 Katabi Yinon  
 Kraus Naftali  
 Michael Elhanan  
 Motzen (Rosenbaum) Hana  
 Schmerler Naftali Zvi  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Shapiro Chaim Bezalel  
 Siata Dishmaya LLC  
 Steinhaus Debora Sara  
 Stern Yosef Shimon  
 Stewart Rachel  
 Stewart Samuel  
 Winegarten Yehuda

**855 Dekalb Avenue Operations LLC**

Baddiel Dovid  
 Baddiel Hannah  
 Benedikt Nomi  
 Benedikt Yosef Zvi  
 Brochsztat Shamai Shlomo Aryeh  
 Cohen Israel Meir  
 Frenkel Batsheva  
 Galinsky Elimelech  
 Grossnass Abraham Joshua  
 Halpern Binyomin Mordechai  
 Halpern David  
 Hirsch Israel  
 Hirsch Tzivia  
 Hirsch-Grunwald Yvonne  
 Kahn Pinchos  
 Katabi Yinon  
 Kraus Naftali  
 Michael Elhanan  
 Motzen (Rosenbaum) Hana  
 Schmerler Naftali Zvi  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Shapiro Chaim Bezalel  
 Siata Dishmaya LLC  
 Steinhaus Debora Sara  
 Stern Yosef Shimon  
 Stewart Rachel  
 Stewart Samuel  
 Winegarten Yehuda

**Willoughby Estates Operations LI**

Bamberger Maurice  
 Bamberger Meir  
 Binyamini Efraim  
 Cohen Israel Meir  
 Daskal Shlomo Pinchas  
 Fischer Samuel  
 Halpern Binyomin Mordechai  
 Halpern Ya'akov Mordechai  
 Hirsch Israel  
 Hirsch-Grunwald Yvonne  
 Jaffe Esther Selma  
 Jaffe Gavriel Aryeh  
 Jelen Debra Gail  
 Katabi Yinon  
 Keyak Rachel Bracha  
 Klein Elisheva  
 Koninski Isaac  
 Lavkovitch Yechiel  
 Lichtig Benzion  
 Masher Meshulem  
 Ryness Rivka  
 Schonberg Bertha Sara  
 Schonberg Jacob  
 Schwarz Abraham J.  
 Shlezinger Elazar David  
 Siata Dishmaya LLC  
 Stein Moshe  
 Strasser David Shalom  
 Weingold Yisrael Meir  
 Weiniger Moshe Dovid

**73 Empire Development Operations 980 Atlantic Holdings Operations 720 Livonia Operations LLC**

Ball Alex	Baddiel Dovid	Baddiel Dovid
Elkaim Raphael Barouch	Baddiel Hannah	Baddiel Hannah
Frenkel Batsheva	Benedikt Nomi	Bamberger Maurice
Groskopf Pinchas	Benedikt Yosef Zvi	Berenshtein Shlomo Zalman
Halpern Binyomin Mordechai	Ben-Shimon Yaakov	Geller Anthony
Halpern David	Biton Yehudit	Glatstein Yosef
Hirsch Israel	Groskopf Pinchas	Gross Nathan
Hirsch-Grunwald Yvonne	Gross Nathan	Gutman Yisrael David
Honigsberg Shmaryahu	Halpern Binyomin Mordechai	Halpern Binyomin Mordechai
Katabi Yinon	Halpern David	Halpern David
Kohen Hinda	Itzkowitch Raizl	Kaplan Israel J
Muller Michael	Katabi Yinon	Keyak Rachel Bracha
Ollech Heini	Kohen Hinda	Kohen Hinda
Ollech Jakob	Levi Oved	Muller Michael
Ollech Jakob.	Michael Elhanan	Ryness David
Schonberg Benjamin	Ollech Heini	Schonberg Benjamin
Schonberg Bertha Sara	Schonberg Benjamin	Schonberg Bertha Sara
Schonberg Jacob	Schonberg Bertha Sara	Schonberg Jacob
Shaya Itamar	Schonberg Jacob	Shlezinger Elazar David
Shlezinger Elazar David	Shaya Itamar	Spingarn Ishak Aron
Siata Dishmaya LLC	Shenker Shimon	Stein Fishel
Stein Moshe	Spingarn Ishak Aron	Stein Moshe David
Stern Eliyahu	Spingarn Lionel	Stern Eliyahu
Stewart Rachel	Stern Eliyahu	Stewart Rachel
Stewart Samuel	Stern Yosef Shimon	Stewart Samuel
	Vinberg Abraham	
	Weisman Yosef Zvi	
	Winegarten Yehuda	
	Zelivansky Yehoshua Natan	

**8 Maple Avenue Operations 1301 Putnam Operations LLC**

Ben-Shimon Yaakov	Elkaim Jakob
Cohen-Arazi Netanel	Elkaim Raphael Barouch
Elkaim Raphael Barouch	Gross Nathan
Ollech Heini	
Ollech Jakob.	
Shaya Itamar	
Shenker Shimon	
Weil Elyashiv Menachem	
Wizman Yaakov	
Zakuta Avraham	

## **STATEMENT OF CLAIM**

1. The Debtor took part in a massive scheme to defraud over 180 people, along with related corporate entities, out of more than \$20,000,000 through the promotion of so-called “investments” in New York real estate. The claimants listed on Exhibit A (collectively, the “Claimants”) are individuals (the “Individual Claimants”)<sup>1</sup> and twenty-three limited liability companies (the “LLC Claimants”) who comprise the substantial majority of the defrauded parties in number and dollar amount. The scheme was masterminded by Yechezkel Strulovitch (“Strulovitch”) and Yechiel Oberlander (“Oberlander”) (collectively, the “Individual Malefactors”).

2. Specifically, the Individual Malefactors persuaded numerous individuals – mostly foreigners – to “invest” collectively over \$20 million in over twenty parcels of real property located in New York City (collectively, the “Investment Properties” and, individually, the “Investment Property”). Those Individual Claimants transferred their money based upon false representations that the Individual Malefactors made in prospectuses, including with respect to the properties’ purchase price, and that the Funds would be used solely to purchase and renovate specific Investment Properties. In return for the transmittal of funds, the Individual Claimants would purchase membership interests in an LLC Claimant. The LLC Claimants, in turn, were given 45 or 46 percent interests in one of twenty-two limited liability companies (collectively, the “Holding Companies” and, individually, a “Holding Company”) that each held title to a respective Investment Property.<sup>2</sup> CSRE LLC (“CSRE”), an entity wholly owned by the Individual Malefactors, owns the remaining 54 or 55 percent in each Holding Company.

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<sup>1</sup> There is one limited liability company, Siata Dishmaya LLC, that is listed as an Individual Claimant, because it was an investor in an LLC Claimant; so, for the sake of clarity, it makes sense to include this limited liability company with the Individual Claimants.

<sup>2</sup> One LLC Claimant – 1285 Bushwick Operations LLC – never received an interest in a Holding Company, because the intended investment property was never purchased.



3. The Individual Malefactors were the managers of the LLC Claimants until September 2019, when they were removed as managers by the LLC Claimants' members. The Individual Malefactors are the managers of the Holding Companies, with the exception of the Debtor and one other Holding Company.<sup>3</sup>

4. Rather than use the funds to purchase and develop the Investment Properties, the Individual Malefactors diverted them to other limited liability companies controlled by the Individual Malefactors. These other companies included both (i) the Holding Companies and (ii) other entities (the "Secret LLCs") controlled by the Individual Malefactors that owned and developed properties (the "Secret Properties") in which the Individual Claimants and LLC Claimants held no interest. Some of the funds were diverted by the Individual Malefactors before the funds even reached the LLC Claimants' accounts. Likewise, even when funds reached the LLC Claimants' accounts, they were then diverted by the Individual Malefactors before the funds reached their respective Holding Companies. The funds were commingled in Strulovitch and Oberlander's personal accounts or other accounts controlled by them and then used for unrelated Holding Companies, in which the LLC Claimants had no ownership interest, and/or the Secret LLCs.

5. The Debtor is one of the Holding Companies.

#### Claimants' Claims

6. The Claimants' claims are based on unjust enrichment, conversion, and securities fraud. The Individual Malefactors diverted Funds from both the Individual Claimants *and* from the LLC Claimants. The Individual Malefactors improperly diverted those funds to, among others, the Debtor. The Debtor retained and used those funds for its own benefit or for the

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<sup>3</sup> With respect to 657-665 5th Avenue LLC and Willoughby Estates LLC, CSRE transferred a small portion of their ownership interests to individual investors (included among the Individual Claimants), and those investors, together with the LLC Claimant, removed the Individual Malefactors as managers in September 2019.

benefit of other entities owned and/or controlled by the Individual Malefactors, and not for the benefit of the Claimants as intended. The claims by the LLC Claimants are by the LLC Claimants directly; they are not being asserted derivatively on behalf of the LLC Claimants.

7. First, Strulovitch and Oberlander improperly diverted the Claimants' funds to the Debtor. Through its receipt and use of the Claimants' funds, the Debtor exercised dominion and control over personal property belonging to the Claimants, thereby interfering with the Claimants' right to possession of such property, to the Claimants' detriment. Thus, the Claimants have a claim against the Debtor for conversion of their funds.

8. Second, because the Debtor knowingly received and used the converted funds, the Debtor was wrongfully in possession of Claimants' funds and has received substantial benefits from the wrongful possession thereof. Equity and good conscience require that the Debtor return the value of the funds to the Claimants. Thus, the Claimants have a claim against the Debtor for unjust enrichment.

9. Claimants cannot to specify how much money was diverted to each particular Holding Company – including the Debtor – from each particular Claimant, because Claimant needs discovery from the Debtor to ascertain those facts – especially in light of the general commingling of funds by the Individual Malefactors, the Holding Companies and the Secret LLCs. Therefore, discovery is needed by the Claimants so that they can demonstrate at trial the precise amount of their Claims.

10. Based on the Claims, the Debtors are indebted to Claimants for general unsecured liabilities. The general unsecured liabilities are based on funds that were misappropriated to the Debtor from (i) the LLC Claimants, and (ii) funds from the Individual Claimants that were never placed in the LLC Claimants' accounts.

11. In addition, one LLC Claimant, Willoughby Estates Operations LLC, has a claim against the Debtor for securities fraud. The Individual Malefactors made misrepresentations, on behalf of the Debtor, about the Debtor to this LLC Claimant in connection with this LLC Claimant's purchase of membership interests in the Debtor.

12. Exhibit B, annexed hereto, sets for the Holding Companies, the LLC Claimants that are members in the Holding Companies, and the Individual Claimants that are members in the LLC Claimants.